

Court of Appeals, State of Michigan

ORDER

Glen R Underwood v Rockwood W Bullard III

Docket No. 279457 & 280528

LC No. 2007-080087 NM

Deborah A. Servitto
Presiding Judge

Donald S. Owens

Kirsten Frank Kelly
Judges

The Court orders that the motion for damages for vexatious proceedings is GRANTED to the extent that plaintiff-appellant is ASSESSED ACTUAL DAMAGES for filing an appellant's brief that was grossly lacking in the requirements of propriety. MCR 7.216(C)(1)(b). Defendants-appellees' additional request for punitive damages is DENIED. The matter is REMANDED to the trial court for a determination of actual damages in accordance with MCR 7.216(C)(2).



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

MAR 12 2009

Date

Sandra Schultz Mengel
Chief Clerk